

CONTACT

- +662 679 6005
- +662 679 6041
- www.ilct.co.th
- law@ilct.co.th

Marriage Equality Act Published in the Royal Gazette

On September 24, 2024, the highly anticipated Marriage Equality Act was published in the Royal Gazette, marking an important milestone for Thailand's LGBTQ+ community. The act will come into force 120 days after its publication.

This article aims to summarize the key changes introduced by the Marriage Equality Act. It is intended for both Thai citizens and foreign nationals, particularly same-sex couples looking to marry under Thai law.

The act amends several provisions of the Civil and Commercial Code, specifically those related to marriage and family, effectively legalizing same-sex marriage.

One of the most significant changes in the Marriage Equality Act is the replacement of references to "man" and "woman" with gender-neutral terms such as "persons" and "parties." Additionally, references to "husband" and "wife" have been changed to "spouses." The legal age for marriage and engagement has also been raised to 18 years, up from 17.

While the act updates terminology, the substantive elements of the original provisions remain unchanged. This means that same-sex couples will finally enjoy all the legal rights previously available only to heterosexual marriages. They will also share the same obligations as heterosexual couples, such as property sharing and mutual support.

Apart from the raised age requirement for both spouses, same-sex couples can marry by meeting the same conditions as heterosexual couples, including mutual consent to marriage, the prohibition of marrying if either party is already married, and the registration requirement. Additionally, for an engagement to be valid, one spouse must transfer property to the other, like the requirements for heterosexual couples.

In conclusion, the Marriage Equality Act represents a significant advancement in LGBTQ rights in Thailand, granting same-sex couples the legal right to engage and marry, along with the associated legal benefits and protections. As the act does not alter the substantive elements of the amended provisions, navigating the requirements for engagement and marriage can be complex. We strongly recommend seeking professional legal assistance. Feel free to contact us at law@ilct.co.th for further guidance.